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FROM: Quan L. Nguyen TIMEKEEPER NO.: 2350  
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# OF PAGES (INCLUDING COVER): 6 FILE NAME: ALLE0049-100  
DATE: Mar 13/06 FILE #: 177994

RECIPIENT(S)	EXAMINER	FAX
U.S. Patent Office	Chih Minh KAM	571-273-8300

Docket No. 17455CIP1(BOT) [ALLE0049-100]

In re application of: Martin A. Voet

Serial No.: 10/666,408

Filed: September 18, 2003

For: BOTULINUM TOXIN THERAPY FOR FIBROMYALGIA

Group Art Unit: 1656

Confirmation No.: 7456

Attached please find:

- Transmittal Form (1 page)
- Fee Transmittal (2 pages)
- Communication (1 page)
- executed Terminal Disclaimer to Obviate a Double Patenting Rejection of a "Prior" Patent No. 6,623,742 (1 page)

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
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/666,408	<b>RECEIVED CENTRAL FAX CENTER MAR 21 2006</b>
	Filing Date	September 18, 2003	
	First Named Inventor	Martin A. Voet	
	Art Unit	1658	
	Examiner Name	Kam, Chih Minh	
Total Number of Pages in This Submission	Attorney Docket Number	17455CIP1 (BOT) [ALLE0049-100]	

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (3-mo) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Executed Terminal Disclaimer for 6,623,742 <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>  		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Cozen O'Connor		
Signature			
Printed Name	Quan L. Nguyen		
Date	March 21, 2006	Reg. No.	46,957

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Quan L. Nguyen	Date	Mar 21 / 06

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <b>FEE TRANSMITTAL</b> <b>for FY 2005</b>		Complete If Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/866,408
TOTAL AMOUNT OF PAYMENT (\$) -0-		Filing Date	September 18, 2003
		First Named Inventor	Martin A. Voel
		Examiner Name	Kam, Chinh Minh
		Art Unit	1658
		Attorney Docket No.	17455CIP1 (BOT) [ALLE0049-100]

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
0 -20 or HP	0 x _____ = _____	<b>Fee Paid (\$)</b>
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
0 -3 or HP	0 x _____ = _____	<b>Fee Paid (\$)</b>
HP = highest number of independent claims paid for, if greater than 3.		

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).


Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	- 100 = _____	/ 50 = _____ (round up to a whole number) x	_____	_____

## 4. OTHER FEE(S)

Executed Terminal Disclaimer - Patent No. 6,623,742

130.00 fee included in 02-07-06 filing

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	45,957	Telephone	215-665-2158
Name (Print/Type)	Quan L. Nguyen	Date	Mar 21/06		

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete If Known	
<b>FEE TRANSMITTAL for FY 2005</b>		Application Number	10/666,408
		Filing Date	September 18, 2003
		First Named Inventor	Martin A. Voet
		Examiner Name	Kam, Chih Minh
		Art Unit	1656
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	17455CIP1 (BOT) [ALLE0048-100]
TOTAL AMOUNT OF PAYMENT (\$)-0-			

**METHOD OF PAYMENT (check all that apply)**
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Under 37 CFR 1.16 and 1.17

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	Fee(\$)	Small Entity Fee(\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity

Fee (\$)

Each independent claim over 3 (including Reissues)

50

25

Multiple dependent claims

200

100

Total Claims

360

180

Extra Claims

Multiple Dependent Claims

Fee(\$)

Fee Paid (\$)

0

\_\_\_\_\_

-20 or HP

\_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims

\_\_\_\_\_

Extra Claims

\_\_\_\_\_

Fee(\$)

\_\_\_\_\_

0

\_\_\_\_\_

-3 or HP

\_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

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Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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
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**4. OTHER FEE(S)**

Fees Paid (\$)

Executed Terminal Disclaimer - Patent No. 6,623,742

130.00 fee included in 02-07-06 filing

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	46,957
Name (Print/Type)	Quan L. Nguyen	Telephone	215-665-2158
		Date	Mar 21/06

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DOCKET NO.: 17455CIP1 (BOT)  
ALLE0049-100 / 177994

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In re application of:

Examiner:

MAR 21 2006

Martin A. Voet

Kam, Chih Min

Serial No.: 10/666,408

Group Art Unit: 1656

Filed: September 18, 2003

Confirmation No. 7456

For: BOTULINUM TOXIN THERAPY FOR FIBROALGIA

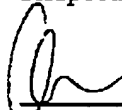
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P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

## COMMUNICATION

Applicant submits herewith an executed copy of a Terminal Disclaimer to Obviate a Double Patenting Rejection of a "prior" Patent for U.S. Reg. No. 6,623,742. This executed document replaces the unexecuted Terminal Disclaimer that Applicant submitted to the U.S. Patent and Trademark Office on February 27, 2006 along with its response to the non-final Office Action mailed August 26, 2005

Respectfully submitted,

Dated: Mar 21/06

Quan L. Nguyen

Registration No. 46,957

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